

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 17, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-18434 - APPLICANT: TANEY ENGINEERING - OWNER: ROBERT EHRLICH

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on January 19, 2009 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning (ZON-4554) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning (ZON-4554) from R-E (Residence Estates) to R-PD9 (Residential Planned Development - 9 Units per Acre) on 17.89 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/06/00	The City Council accepted the applicant's request to Withdraw Without Prejudice a General Plan Amendment (GPA-0026-00) from ML (Medium-Low Density Residential) to M (Medium Density Residential) on 12.84 acres encompassing the area proposed for the current General Plan Amendment request. The Planning Commission and staff had recommended approval. The City Council also accepted the applicant's request to Withdraw Without Prejudice a Rezoning (Z-0080-00) from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD9 (Residential Planned Development – 9 Units Per Acre) to R-3 (Medium Density Residential) and a Site Development Plan Review [Z-0080-00(1)] for a proposed 288-unit multi-family development on the same site. The Planning Commission and staff recommended approval.
08/21/02	The City Council voted to table a General Plan Amendment (GPA-0017-02) from ML (Medium-Low Density Residential) to M (Medium Density Residential) and a Rezoning (Z-0040-02) from R-E (Residence Estates) to R-3 (Medium Density Residential) on APN 140-30-503-002 in order for the applicant to revise the site plan, which included a proposed 224-unit multi-family residential development. The Planning Commission and staff recommended approval of the General Plan Amendment with the recommendation that the request be amended to MLA (Medium-Low Attached Density Residential). The Planning Commission and staff recommended denial of the Rezoning.
01/19/05	The City Council approved a General Plan Amendment (GPA-4548) from M (Medium Density Residential) and ML (Medium-Low Density Residential) to MLA (Medium-Low Attached Density Residential); a Rezoning (ZON-4554) from R-E (Residence Estates) to R-PD9 (Residential Planned Development - 9 Units per Acre); a Variance (VAR-4677) to allow 1.57 acres of Open Space where 2.75 acres is the minimum required in conjunction with a proposed 166-unit single family residential development; and a Site Development Plan Review (SDR-4555) for a proposed 166-lot single-family residential development on 18.54 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard. The Planning Commission recommended approval of the General Plan Amendment, but recommended denial of the other related items. Staff recommended denial of all items on 12/16/04.

10/19/05	The City Council approved a Site Development Plan Review (SDR-8630) for a 161-lot single-family residential development; and a Variance (VAR-8631) to allow 61,000 square feet of open space where 115,724 square feet is the minimum amount of open space required in conjunction with a proposed 161-lot single-family residential development on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard
11/03/05	The Planning Commission approved a Tentative Map (TMP-9106) for a 161-lot single-family residential subdivision on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard. Staff recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
12/08/05	Civil Improvement Plans (CIVIL-10623) were submitted on the indicated date, but have not been finalized.
02/07/06	A Final Map (FMP-11725) was submitted on the indicated date, but has not been finalized.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	17.89

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MLA (Medium-Low Attached Density Residential)	R-E (Residence Estates under Resolution of Intent to R-PD9 (Residential Planned Development – 9 Units per Acre)
North	Multi-family housing (Clark County)	ML (Medium Low Density Residential)/Clark County	Clark County
South	Mobile home park	ML (Medium Low Density Residential)	R-MHP (Residential Mobile Home Park)
East	Multi-family housing	ML (Medium Low Density Residential)/M (Medium Density Residential)	R-PD9 (Residential Planned Development – 9 Units per Acre)/R-PD18 (Residential Planned Development – 18 Units per Acre)
West	Multi-family housing	M (Medium Density Residential)	R-PD16 (Residential Planned Development – 16 Units per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
Neighborhood Revitalization Area	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

ANALYSIS

This is the first Extension of Time for the subject Rezoning (ZON-4554) which was approved by the City Council on 01/19/05. A Rezoning is exercised by means of the recordation of a final subdivision map or by the commencement of actual construction. A final map (FMP-11725) was submitted on 02/07/06, but has not recorded. Therefore, the Rezoning has not been exercised by the recordation of a final map or commencement of actual construction. The Extension of Time can be supported to allow the applicant to record the final map.

FINDINGS

Staff supports the subject Extension of Time for the approved Rezoning. The applicant has demonstrated that they are working towards the recordation of the final map. A condition of approval has been added, which recommends the extension be allowed for two years until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0